

Jul 06, 2021

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MANUEL ARGOMANIZ-
CAMARGO,

Petitioner,

v.

DON HOLBROOK,

Respondent.

No. 2:21-cv-00140-SMJ

**ORDER DISMISSING HABEAS
CORPUS PETITION**

On May 25, 2021, the Court advised Petitioner Manuel Argomaniz-Camargo of the deficiencies of his application for writ of habeas corpus by a person in State custody under 28 U.S.C. § 2254 and gave him the opportunity to amend his petition within thirty days to cure those deficiencies. ECF No. 6.¹

Specifically, the petition appeared untimely on its face under 28 U.S.C. § 2244(d). ECF No. 6 at 5–6. The Court cautioned Petitioner that failing to amend his petition to demonstrate either a statutory or equitable basis to toll the limitations period would result in the dismissal of his petition. *Id.* at 6–7. Petitioner did not

¹ Petitioner, currently housed at the Washington State Penitentiary, is proceeding *pro se* and *in forma pauperis*. Respondent has not been served in this action.

1 amend as directed and has filed nothing further in this action. For the reasons set
2 forth above and in the Court's May 25, 2021 Order, the Court dismisses the petition.

3 Accordingly, **IT IS HEREBY ORDERED:**

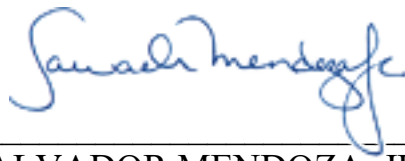
4 1. The petition, **ECF No. 1**, is **DISMISSED WITH PREJUDICE**.

5 2. The Clerk's Office is directed to **ENTER JUDGMENT** for
6 Respondent and **CLOSE** this file.

7 3. The Court certifies that an appeal from this decision could not be taken
8 in good faith and there is no basis upon which to issue a certificate of
9 appealability. *See* 28 U.S.C. §§ 1915(a)(3), 2253(c); Fed. R. App. P.
10 22(b).

11 **IT IS SO ORDERED.** The Clerk of Court is directed to enter this Order and
12 forward a copy to Petitioner.

13 **DATED** this 6th day of July 2021.

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SALVADOR MENDOZA, JR.
16 United States District Judge